

Richard M. Heimann (State Bar No. 63607)
Kelly M. Dermody (State Bar No. 171716)
Brendan Glackin (State Bar No. 199643)
Dean Harvey (State Bar No. 250298)
Anne B. Shaver (State Bar No. 255928)
Lisa J. Cisneros (State Bar No. 251473)
LIEFF CABRASER HEIMANN & BERNSTEIN, LLP
275 Battery Street, 29th Floor
San Francisco, California 94111-3339
Telephone: 415.956.1000
Facsimile: 415.956.1008

Joseph R. Saveri (State Bar No. 130064)
James Dallal (State Bar No. 277826)
JOSEPH SAVERI LAW FIRM
505 Montgomery, Suite 625
San Francisco, California 94111
Telephone: 415.500.6800
Facsimile: 415.500.6803

Co-Lead Class Counsel

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

IN RE: HIGH-TECH EMPLOYEE
ANTITRUST LITIGATION

THIS DOCUMENT RELATES TO:
All Actions

Master Docket No. 11-CV-2509-LHK

**DECLARATION OF ANNE B. SHAVER IN
SUPPORT OF PLAINTIFFS' OPPOSITION
TO DEFENDANTS' JOINT MOTIONS IN
LIMINE**

1 I, Anne B. Shaver, declare:

2 I am an associate in the law firm of Lieff, Cabraser, Heimann & Bernstein, LLP, a
3 member of the State Bar of California, and am admitted to practice before the United States
4 District Court for the Northern District of California. I am one of the attorneys for the Plaintiffs
5 in this action. I submit the following declaration in support of Plaintiffs' Opposition to
6 Defendants' Joint Motions *In Limine*. I make this declaration based on my own personal
7 knowledge. If called upon to testify, I could and would testify competently to the truth of the
8 matters stated herein.

9 **I. Deposition Testimony of Defendants' Experts and Witnesses**

10 1. Attached hereto as **Exhibit A** is a true and correct copy of excerpts from the
11 March 15, 2013 deposition of Bruce Chizen.

12 2. Attached hereto as **Exhibit 1** is a true and correct copy of excerpts from the March
13 19, 2013 deposition of Sergey Brin.

14 3. Attached hereto as **Exhibit 2** is a true and correct copy of excerpts from the
15 January 24, 2013 deposition of Ed Catmull.

16 4. Attached hereto as **Exhibit 3** is a true and correct copy of excerpts from the
17 December 7, 2013 deposition of Tim Cook.

18 5. Attached hereto as **Exhibit 4** is a true and correct copy of excerpts from the
19 December 11, 2013 deposition of David Lewin.

20 6. Attached hereto as **Exhibit 5** is a true and correct copy of excerpts from the March
21 28, 2013 deposition of George Lucas.

22 7. Attached hereto as **Exhibit 6** is a true and correct copy of excerpts from the
23 August 3, 2012 deposition of James Morris.

24 8. Attached hereto as **Exhibit 7** is a true and correct copy of excerpts from the
25 December 7, 2013 deposition of Kevin Murphy.

26 9. Attached hereto as **Exhibit 8** is a true and correct copy of excerpts from the
27 February 20, 2013 deposition of Eric Schmidt.
28

10. Attached hereto as **Exhibit 9** is a true and correct copy of excerpts from the December 7, 2013 deposition of Edward A. Snyder.

II. Deposition Testimony of Named Plaintiffs

11. Attached hereto as **Exhibit 10** is a true and correct copy of excerpts from the October 12, 2012 deposition of Siddharth Hariharan.

12. Attached hereto as **Exhibit 11** is a true and correct copy of excerpts from the October 22, 2012 deposition of Brandon Marshall.

13. Attached hereto as **Exhibit 12** is a true and correct copy of excerpts from the October 29, 2012 deposition of Daniel Stover.

III. Defendants' Expert Reports

14. Attached hereto as **Exhibit 13** is a true and correct copy of the November 25, 2013 Expert Report of Kevin Murphy.

15. Attached hereto as **Exhibit 14** is a true and correct copy of the November 25, 2013 Expert Report of Edward Snyder.

16. Attached hereto as **Exhibit 15** is a true and correct copy of the November 25, 2013 Expert Report of Eric Talley.

IV. Plaintiffs' Expert Reports

17. Attached hereto as **Exhibit 16** is a true and correct copy of the October 28, 2013 Expert Report of Matthew Marx.

18. Attached hereto as **Exhibit 17** is a true and correct copy of the December 11, 2013 Reply Expert Report of Matthew Marx.

19. Attached hereto as **Exhibit 18** is a true and correct copy of the October 28, 2013 Expert Report of Edward Leamer.

20. Attached hereto as **Exhibit 19** is a true and correct copy of the December 11, 2013 Expert Report of Edward Leamer.

V. Plaintiffs' Deposition Exhibits

21. Attached hereto as **Exhibit 80** is a true and correct copy of Plaintiffs' Exhibit 80, an excerpt from Intel's data produced to Plaintiffs without Bates identification number.

22. Attached hereto as **Exhibit 166** is a true and correct copy of Plaintiffs' Exhibit 166, the Final Judgment issued in *United States v. Adobe Systems, Inc., et al.*, Case No. 10-1629 (D.D.C. Mar. 18, 2011).

23. Attached hereto as **Exhibit 278** is a true and correct copy of Plaintiffs' Exhibit 278, 231APPLE002150, as redacted by Defendant Apple.

24. Attached hereto as **Exhibit 279** is a true and correct copy of Plaintiffs' Exhibit 279, 231APPLE002151, as redacted by Defendant Apple.

25. Attached hereto as **Exhibit 281A** is a true and correct copy of Plaintiffs' Exhibit 281A, 231APPLE002217-19.

26. Attached hereto as **Exhibit 449** is a true and correct copy of Plaintiffs' Exhibit 449, Lyon, Dan, *News Flash: Steve Jobs Bullied Rivals And Was Kind Of A Dick*, <http://readwrite.com> (January 23, 2013).

27. Attached hereto as **Exhibit 637** is a true and correct copy of Plaintiffs' Exhibit 637, GOOG-HIGH-TECH-00000076-77.

28. Attached hereto as **Exhibit 648** is a true and correct copy of Plaintiffs' Exhibit 648, GOOG-HIGH-TECH-00265514-16.

29. Attached hereto as **Exhibit 650** is a true and correct copy of Plaintiffs' Exhibit 650, GOOG-HIGH-TECH-00265638-39.

30. Attached hereto as **Exhibit 653** is a true and correct copy of Plaintiffs' Exhibit 653, GOOG-HIGH-TECH-00058495-96.

31. Attached hereto as **Exhibit 1871** is a true and correct copy of Plaintiffs' Exhibit 1871, GOOG-HIGH-TECH-00061052-53.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed April 17, 2014, in San Francisco, California.

/s/ Anne B. Shaver
Anne B. Shaver